

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

NO. 5:15-CR-62-H

NO. 5:15-CR-67-H

NO. 5:15-CR-68-H

UNITED STATES OF AMERICA,

v.

DUKE ENERGY BUSINESS SERVICES  
LLC; DUKE ENERGY CAROLINAS,  
LLC; and DUKE ENERGY  
PROGRESS, INC.,  
Defendants.

**NOTICE OF SELECTION  
OF MITIGATION BANK**

The court hereby provides notice of its selection and appointment of **RES, LLC** ("RES") to be the recipient of five million dollars (\$5,000,000.00) from Duke Energy Carolinas, LLC, and five million dollars (\$5,000,000.00) from Duke Energy Progress, Inc., pursuant to provisions contained in Page 5, Paragraph 12 of the Judgments, Paragraph 12A of Exhibit A to the Judgments, and Paragraph 3, Subsection bb of the plea agreements. The total payment to the recipient shall be ten million dollars (\$10,000,000.00). Duke Energy Carolinas, LLC, and Duke Energy Progress, Inc., shall remit payment to RES within thirty (30) days of entry of this Notice.

RES shall make annual reports to this court each calendar year for a period of five (5) years, generally accounting for the

use of the funds and progress made toward completion of the projects financed by these funds. The first report shall be due on or before January 31, 2016, and detail the actions taken from this date through December 31, 2015. Subsequent reports shall be made for each successive calendar year on or before January 31 of the year immediately following the subject reporting year. Copies of these annual reports shall be provided by RES to Duke Energy and the United States Department of Justice when submitted to the court.

So ordered, this 10<sup>th</sup> day of September, 2015



Malcolm J. Howard  
Senior United States District Judge

At Greenville, NC  
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